HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (S) NO. 3290 of 2007

Petitioner Smt. Subhashini Singh, aged about 52 years, W/o Shri Jai Karan Singh, Resident of Kapoor Singh Dafai, Choto Bazar, Chirimiri, District Korea, (C.G.)

Versus

Respondents

1. State of Chhattisgarh, Through- Secretary, Department of School Education, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
2. The District Education Officer, Korea, District Korea, C.G.
3. President, Management Committee through Principal, Boys Primary School Chirimiri Colliery Vidyalay Chirmiri, District Korea, (C.G.).
4. The Director, Directorate, Public Institution, Pension Bada, Raipur, C.G.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Shri Justice **Satish K. Agnihotri**

Mr. R.K. Jaiswal, Advocate for the Petitioner.
Mr. Ajay Dwivedi, Panel lawyer for the respondents No. 1, 2 and 4/State.

ORDER
(Passed on this 14th day of June, 2007)

1. The question of law involved in this petition is whether the teachers working in government aided private schools are entitled to the benefit of the recommendation of the Fifth Pay Commission under the provisions of the Madhya Pradesh Ashaskiya Sikshan Sanstha (Adhyapakon Tatha Anya Karmchariyon Ke Vetno Ka Sandaya) Adhiniyam, 1978 (henceforth 'the Adhiniyam, 1978') and the rules made thereunder read with the Madhya Pradesh Revision of Pay Rules, 1998 (henceforth 'the Pay Rules, 1998').

(21)

2. The identical question of law was considered by this Court in batch of matters i.e. **Smt. A.Lall Vs. State of Chhattisgarh & Others (W.P. No. 4108 of 2005)** with other connected matters, and the same was disposed of by judgment and order dated 6.2.2007. It was held that the petitioners who are working in fully Government aided private schools are entitled to the revised pay scales w.e.f 1.1.1996 as prescribed under the Pay Rules, 1998. This Court had granted certain directions further for the purpose of disbursement of arrears.

3. Admittedly and jointly, it is submitted by the learned counsel for the parties that this matter is squarely covered by the judgment and order dated 6.2.2007 passed by this Court in the case of Smt. A.Lall Vs. State of Chhattisgarh & Others and other connected matters (Supra).

4. As a result, for the reasons stated in the judgment and order dated 6.2.2007 passed in W.P. No. 4108 of 2005 Smt. A.Lall Vs. State of Chhattisgarh & Others and other connected matters (supra), the writ petition is allowed in the same terms and conditions.

Sd/-
Satish K. Agnihotri
Judge

B/-